

FORM PTO-1449/A and B (Modified) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/630,319	ATTY. DOCKET NO.: C1039.70042US00
				FILING DATE: July 31, 2000	CONFIRMATION NO.: 5464
				APPLICANT: Krieg et al.	
				GROUP ART UNIT: 1635	EXAMINER: Jane J. Zara
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## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	5,856,462		Agrawal	01-05-1999
	A2	5,928,636		Alber et al.	07-27-1999
	A3	5,968,909		Agrawal et al.	10-19-1999
	A4	2002/0086295	A1	Raz et al.	07-04-2002
	A5	2004/0006034	A1	Raz et al.	01-08-2004
	A6	2004/0087534	A1	Krieg et al.	05-06-2004
	A7	2004/0132685	A1	Krieg et al.	07-08-2004

## FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	WO	97/28259	A1	The Regents of the University of California		
	B2	WO	98/49288				
	B3	WO	99/56755	A1	University of Iowa Research Foundation	11-11-1999	
	B4	WO	2004/007743	A2	Coley Pharmaceutical GMBH	01-22-2004	
	B5	WO	2004/039829	A2	Coley Pharmaceutical Group, Ltd.	05-13-2004	

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	AGARAWL et al., "Pharmacokinetics, biodistribution, and stability of oligonucleotide phosphorothioates in mice", <i>Proc. Natl. Acad. Sci. USA</i> Vol 88. pp. 7595-7599, September 1991	
	C2	CHELVARAJAN., "CpG oligodeoxynucleotides overcome the unresponsiveness of neonatal B cells to stimulation with the thymus-independent stimuli anti-IgM and TNP-FicolI", <i>Eur. J. Immunol.</i> 1999. 29:2808-2818	
	C3	FRANCOIS et al., "Examination of the Inhibitory and Stimulatory Effects of IFN- $\alpha$ , - $\beta$ , and - $\gamma$ on Human B-Cell Proliferation Induced by Various B-Cell Mitogens", <i>Clinical Immunology and Immunopathology</i> , 48, 297-306 (1988).	
	C4	JOHNSON et al., <i>Immunopharmacology, Infection, and Disease</i> , 291-301, 1987.	
	C5	KATAOKA et al., "Immunotherapeutic potential in guinea-pig tumor model of deoxyribonucleic acid from <i>Mycobacterium bovis</i> BCG complexed with poly-L-lysine and carboxymethylcellulose", <i>Japan Journal of Medical Science and Biology</i> , 43(5):171-82, 1990.	
	C6	KLINMAN et al., "Contribution of CpG motifs to the immunogenicity of DNA vaccines", <i>Journal of Immunology</i> , 158(8): 3635-9, 1997.	
	C7	KRIEG et al., Abstract from 1996 meeting on Molecular Approaches to the Control of Infectious Diseases, Cold Spring Harbor Laboratory, September 9-13, 1996. p.116.	
	C8	KUBY "Cytokines" <i>Immunology</i> 13:pg 297-322:1994	
	C9	KURAMOTO et al., "Changes of host cell infiltration into Meth A fibrosarcoma tumor during the course of regression induced by injections of a BCG nucleic acid fraction", <i>International Immunopharmacology</i> , 14(5): 773-782, 1992.	
	C10	KURAMOTO et al., <i>Microbe. Immunol.</i> 33 (11) 929-940, 1989	
	C11	LIPFORD et al., "CpG-containing synthetic oligonucleotides promote B and cytotoxic T cell responses to protein antigen: a new class of vaccine adjuvants", <i>European Journal of Immunology</i> , 27(9): 2340-4, 1997.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.L./



Form 100-0000/A and B (Modified)

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

Sheet	2	of	3
APPLICATION NO.: 09/630,319			
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	C12	LIPFORD et al., "Bacterial DNA as immune cell activator", <i>Trends Microbiological</i> , 6(12): 496-500, 1998.	
	C13	PISETSKY et al., "The influence of base sequence on the immunostimulatory properties of DNA", <i>Immunity Research</i> , 19: 35-46, 1999.	
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	C15	RAZ et al., "Intradermal gene immunization: The possible role of DNA uptake in the induction of cellular immunity to viruses" <i>Proc. Natl. Acad. Sci. USA</i> Vol. 91, pp. 9519-9253, Sept. 1994	
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	C17	VLASSOV et al., "Oligonucleotides in Cells and in Organisms: Pharmacological Considerations"	
	C18	VOLLMER et al., "Characterization of three CpG oligodeoxynucleotide classes with distinct immunostimulatory activities" <i>Eur. J. Immunol.</i> 2004. 34: 251-262	
	C19	WAAG et al., "Injection of inactivated phase I Coccidia burnetii increases non-specific resistance to infection and stimulates lymphokine production in mice", <i>Annual New York Academy of Science</i> , 590: 203-214, 1990.	
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	C24	Iowa Miscellaneous Motion 1 Patent Interference No. 105,171	
	C25	Iowa Miscellaneous Motion 2 Patent Interference No. 105,171	
	C26	Iowa Preliminary Motion 3 Patent Interference No. 105,171	
	C27	Iowa Preliminary Motion 4 Patent Interference No. 105,171	
	C28	Iowa Preliminary Motion 5 Patent Interference No. 105,171	
	C29	Iowa Preliminary Motion 6 Patent Interference No. 105,171	
	C30	Iowa Preliminary Motion 7 Patent Interference No. 105,171	
	C31	Iowa Preliminary Motion 8 Patent Interference No. 105,171	
	C32	Iowa Preliminary Motion 9 Patent Interference No. 105,171	
	C33	Iowa Preliminary Motion 10 Patent Interference No. 105,171	
	C34	Regents of The University of California Preliminary Statement	
	C35	Regents of The University of California Preliminary Statement Patent Interference No. 105,171	
	C36	Regents of The University of California Preliminary Motion 1 Patent Interference No. 105,171	
	C37	Regents of The University of California Preliminary Motion 2 Patent Interference No. 105,171	
	C38	Regents of The University of California Preliminary Motion 3 Patent Interference No. 105,171	
	C39	Regents of The University of California Preliminary Motion 4 Patent Interference No. 105,171	
	C40	Regents of The University of California Preliminary Motion 5 Patent Interference No. 105,171	

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	C41	Regents of The University of California Preliminary Motion 6 Patent Interference No. 105,171	
	C42	Regents of The University of California Preliminary Motion 7 Patent Interference No. 105,171	
	C43	Regents of The University of California Preliminary Motion 8 Patent Interference No. 105,171	

EXAMINE R	/Emily Le/	DATE CONSIDERED	03/15/2008
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]